

By: Davis of Harris

H.B. No. 653

A BILL TO BE ENTITLED

AN ACT

relating to a shampoo apprentice permit.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1602.253, Occupations Code, is amended to read as follows:

Sec. 1602.253. CERTIFICATE OF HEALTH REQUIRED FOR CERTAIN APPLICANTS. An applicant for an operator license, instructor license, reciprocal license, ~~[or]~~ specialty certificate, or shampoo apprentice permit must submit a certificate of health that:

(1) shows the applicant is free, as determined by a physical examination, from tuberculosis or a contagious disease for which the applicant is not entitled to protection under the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.); and

(2) is signed by a licensed physician, advanced practice nurse, or licensed physician assistant.

SECTION 2. Subchapter F, Chapter 1602, Occupations Code, is amended by adding Section 1602.267 to read as follows:

Sec. 1602.267. SHAMPOO APPRENTICE PERMIT. (a) A person holding a shampoo apprentice permit may perform only the practice of cosmetology defined by Section 1602.002(3).

(b) The commission shall issue a shampoo apprentice permit to an applicant who:

(1) is at least 16 years of age; and

1 (2) submits a certificate of health as required by
2 Section 1602.253.

3 (c) A shampoo apprentice permit expires on the first
4 anniversary of the date of issuance and may not be renewed.

5 (d) The commission shall adopt rules as necessary to
6 administer this section. The commission may not require an
7 applicant to:

8 (1) complete any hours of instruction at a cosmetology
9 training program as a prerequisite for the issuance of a shampoo
10 apprentice permit; or

11 (2) pay a fee for a shampoo apprentice permit.

12 (e) A facility licensed under this chapter may employ a
13 person who holds a shampoo apprentice permit to perform shampooing
14 or conditioning services and shall pay the person at least the
15 federal minimum wage as provided by Section 6, Fair Labor Standards
16 Act of 1938 (29 U.S.C. Section 206).

17 SECTION 3. The Texas Cosmetology Commission shall adopt the
18 rules required by Section 1602.267, Occupations Code, as added by
19 this Act, not later than January 1, 2004.

20 SECTION 4. This Act takes effect September 1, 2003.